

**FILED**

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**AUG 01 2024**  
Clerk, U.S. Courts  
District of Montana  
Missoula Division

**ATTORNEYS FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**GREAT FALLS DIVISION**

<b>UNITED STATES OF AMERICA,</b>	<b>CR 24-<del>60</del>-GF-BMM</b>
<b>Plaintiff,</b>	<b>INDICTMENT</b>
<b>vs.</b>	<b>SUBMITTING A FALSE TAX RETURN</b>
<b>TOMMY MICHAEL VANHOOSE,</b>	<b>(Counts 1-5)</b>
<b>Defendant.</b>	<b>Title 26 U.S.C. § 7206(1)</b>
	<b>(Penalty: Three years of imprisonment,</b>
	<b>\$250,000 fine, and one year of supervised</b>
	<b>release)</b>

THE GRAND JURY CHARGES:

## INTRODUCTION

At all times relevant to this indictment:

1. The defendant, TOMMY MICHAEL VANHOOSE, owned and operated Highwood Creek Outfitters LLC, which is a firearms distributor and shooting range located in Great Falls, Montana.
2. VANHOOSE, through a real estate agent, listed the business for sale for \$1,750,000 on BizBuySell.com. An undercover agent with the IRS, posing as a potential buyer, inquired about the list price by calling the real estate agent on February 6, 2023. During the conversation about the financials, the real estate agent stated, “[N]ot everything flows to the tax returns.”
3. Subsequent to the conversation, the real estate agent provided the undercover agent with the IRS Form 1040 Schedule C for the business operation, which showed a net profit of \$11,614 for 2020 and \$16,234 for 2021. In a follow-up conversation on March 17, 2023, the real estate agent told the undercover that they would not identify in writing any “off the books” income but the actual amount of income was “substantial.”
4. Three days later, on March 20, 2023, both the real estate agent and VANHOOSE spoke to the undercover agent over the phone. VANHOOSE declined to share additional financial details at that time, but agreed to do so in

person. VANHOOSE confirmed, however, there was “more than meets the eye” for income of the business.

5. On May 3, 2023, the undercover agent visited Great Falls, Montana, and toured Highwood Creek Outfitters LLC. During the tour, VANHOOSE stated he skimmed approximately \$450,000 in cash and repeatedly stated he did not report 20% of the gross receipts to the IRS. VANHOOSE’s underreporting, based upon his own claims, resulted in an underreporting to the IRS of approximately \$1,474,604.00, meaning he owed the IRS approximately \$442,381.20. The numbers, using VANHOOSE’s own representations, are outlined below:

<b>HIGHWOOD CREEK OUTFITTERS LLC – Schedule C – Form 1040</b>			
<b>Tax Year</b>	<b>Gross Receipts</b>	<b>20% Cash Increase</b>	<b>Tax Loss</b>
2018	\$1,028,263.00	\$205,652.60	\$61,695.78
2019	\$792,206.00	\$158,441.20	\$47,532.36
2020	\$1,936,533.00	\$387,306.60	\$116,191.98
2021	\$1,748,342.00	\$349,668.40	\$104,900.52
2022	\$1,315,589.00	\$263,117.80	\$78,935.34
<b>Total</b>	<b>\$7,373,020.00</b>	<b>\$1,474,604.00</b>	<b>\$442,381.20</b>

6. When individuals purchase firearms from Highwood Creek Outfitters LLC, they are required to complete an ATF Form 4473. The ATF Form 4473

identifies the make, model, and serial number of the purchased firearm. While at VANHOOSE's gun shop, the undercover asked VANHOOSE how underreporting of income to the IRS was possible when ATF tracked the sale of guns by serial number through the ATF Form 4473s. VANHOOSE responded, "It's easy." According to VANHOOSE, "they don't know what I'm paying for or I'm getting in income off those guns." VANHOOSE therefore confirmed to the undercover agent that VANHOOSE accurately detailed sales through the ATF Form 4473s, but VANHOOSE underreported his income to the IRS.

7. On June 14, 2023, the IRS executed a search warrant at Highwood Creek Outfitters LLC to obtain, among other items, the ATF Form 4473s to determine the amount of unreported income by VANHOOSE. The actual gun prices were attached to the ATF Form 4473s and confirmed that VANHOOSE skimmed cash and underreported his gross receipts to the IRS.

8. After comparing VANHOOSE's bank records with the Point of Sales System (POS) for Highwood Creek Outfitters LLC, IRS agents discovered VANHOOSE's deposits were approximately \$726,414 less than the cash sales recorded in the POS.

9. VANHOOSE also sold firearms for a price higher than what he entered in the POS. When the ATF Form 4473s were compared to the POS records, it

reflected the guns were priced approximately \$187,527 higher than what was documented in the system.

10. In addition, VANHOOSE sold or gave firearms to others, and he did not record the transactions in the POS. VANHOOSE prepared ATF Forms 4473 documenting these sales, but he did not enter the transactions in the POS. In total, VANHOOSE distributed \$572,462.64 in firearms for which no entries were made in the POS.

11. To further perpetuate the underreporting scheme, VANHOOSE also lied to his accountant, providing incomplete records to underreport income to the IRS. For example, VANHOOSE did not deposit cash sales into his bank account while skimming and underreporting his gross receipts. But when preparing his tax returns, VANHOOSE only provided his accountant with the bank account records, representing that was the extent of business activity. The accountant used these bank account records and was misled to believe they captured the entirety of the income.

12. The records obtained pursuant to the search warrant reflected VANHOOSE underreported, consistent with his statements, approximately 20% of his income, which was \$1,486,404.24. Had VANHOOSE accurately reported this income, it would have caused an additional tax due and owing of approximately \$492,254.

COUNTS 1-5 – SUBSCRIBING TO A FALSE RETURN

That on or about the dates listed in the table below, at Great Falls and within Cascade County, in the State and District of Montana, and other places, the defendant, TOMMY MICHAEL VANHOOSE, willfully made and subscribed to a return, statement, and other document, which contained and was verified by a written declaration made under the penalties of perjury, and which VANHOOSE did not believe to be true and correct as to every material matter, that is the defendant, TOMMY MICHAEL VANHOOSE, prepared and signed Schedules C to United States Income Tax Return Forms 1040 claiming gross receipts, then and there knowing, Highwood Creek Outfitters LLC received additional gross receipts, which were not reported to the IRS:

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Count	Tax Year	False Line	Reported Gross Receipts	Actual Gross Receipts
1	2018	Schedule C, Line 1	\$1,028,263	\$1,284,545
2	2019	Schedule C, Line 1	\$792,206	\$863,242
3	2020	Schedule C, Line 1	\$1,936,533	\$2,355,373
4	2021	Schedule C, Line 1	\$1,748,342	\$2,115,042
5	2022	Schedule C, Line 1	\$1,315,589	\$1,689,132

All in violation of 26 U.S.C. § 7206(1).

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

FOREPERSON

For   
 JESSE A. LASLOVICH  
 United States Attorney

For   
 CYNDEE L. PETERSON  
 Criminal Chief Assistant U.S. Attorney